

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 10-0642 CRB
)	
Plaintiff,)	ORDER FOR PSYCHIATRIC EVALUATION
)	PURSUANT TO 18 U.S.C. § 4244
v.)	
)	
JEFFREY HERHOLZ,)	
)	
Defendant.)	

The Court hereby FINDS that the defendant has been found guilty of two counts of conspiracy to distribute controlled substances, in violation of 21 U.S.C. § 846, two counts of money laundering, in violation of 18 U.S.C. § 1956(h), and one count of distribution of controlled substances, in violation of 21 U.S.C. § 841(a)(1). The defendant has not been sentenced.

The Court further FINDS, pursuant to 18 U.S.C. § 4244, that there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect for the treatment of which he is in need of custody for care or treatment in a suitable facility.

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Therefore the Court ORDERS:

1. The defendant shall be remanded to the custody of the Attorney General to be placed in a suitable facility for a reasonable period of time, not to exceed 30 days, for the purpose of conducting a psychiatric or psychological examination of the defendant's mental state.


2. A psychiatric or psychological report shall be prepared. The report shall be filed with the Court and copies provided to counsel for the defense and the United States.

3. The psychiatric or psychological report shall include:

- a. The person's history and present symptoms;
- b. A description of the psychiatric, psychological, and medical tests that were employed and their results;
- c. The examiner's findings;
- d. The examiner's opinions as to diagnosis, prognosis, and whether the person is suffering from a mental disease or defect as a result of which he is in need of custody for care or treatment in a suitable facility. If the examiner concludes that the defendant is suffering from a mental disease or defect but that it is not such as to require his custody for care or treatment in a suitable facility, the report shall include an opinion by the examiner concerning the sentencing alternatives that could best accord the defendant the kind of treatment he does need.

IT IS SO ORDERED.

DATED: April 23, 2012


HON. CHARLES R. BREYER
United States District Judge